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April 26, 2024

Hon. Jesse M. Furman
United States District Court
40 Centre Street, Room 2202
New York, NY 10007

Re: *ChemImage Corp. v. Johnson & Johnson et al.*, No. 1:24-CV-2646 (JMF)
Letter Motion For Leave to Seal

Dear Judge Furman:

We represent Plaintiff ChemImage Corporation (“ChemImage”) and write pursuant to Federal Rule of Civil Procedure 5.2(d), this Court’s Standing Order 19-MC-583, and Rule 7(C) of the Court’s Individual Rules and Practices in Civil Cases to respectfully seek leave to seal Plaintiff’s contemporaneously filed Letter Motion for Leave as well as the attachments thereto. Defendants Johnson & Johnson and Ethicon, Inc. join this request.

On April 4, 2024, ChemImage filed a Motion for Leave to File Complaint Under Seal, which was granted on April 5, 2024. *See* 1:24-MC-00618-LTS, Dkt. 3 (Order on Motion for Leave to File Complaint Under Seal). The Order also required the parties to “confer on whether further redactions can be removed for a permanent, public filing.” *Id.* Pursuant to that Order, ChemImage filed its Complaint and exhibit under seal, and filed a public version of the Complaint and exhibit containing redactions. *See* Dkt. 1.

Consistent with the Court’s Order, the parties conferred on April 18, 2024 and agreed to remove nearly all of the redactions from the permanent public version of the Complaint and exhibit. Defendants Johnson & Johnson and Ethicon, however, requested redactions of the cash consideration and milestone payment and royalty amounts, those redactions being narrowly tailored to protect competitive business information that courts routinely seal. *See, e.g., Regeneron Pharms., Inc. v. Novartis Pharma AG*, No. 1:20-cv-05502, 2021 WL 243943, at *1 (S.D.N.Y. Jan. 25, 2021). Plaintiff consents to the proposed redactions and the Parties now seek to file a permanent public version of the Complaint with those limited redactions.

Plaintiff respectfully requests the Court seal its Letter Motion for Leave as well as the attachments thereto.

Respectfully submitted,

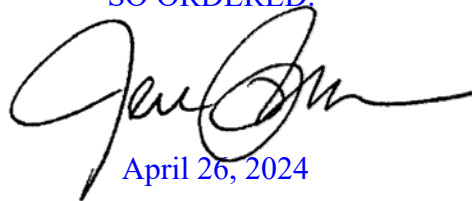
/s/ Courtney C. Whang

Courtney C. Whang

Application GRANTED. Based on a review of the proposed redactions in the Complaint and its attachment, *see* ECF Nos. 15-1, 15-2, 15-3, 15-4, the Court finds that the proposed redactions are narrowly tailored to further interests that are sufficient to outweigh the presumption in favor of public access. Accordingly, the application is granted, subject to reconsideration in the event that any party or third party files a motion to unseal a particular document or documents. Plaintiff shall file the redacted version of the Complaint and its attachment on the public docket **within two business days**.

The Clerk of Court is directed to place ECF No. 1 under seal (i.e., with viewing restricted to the Court and parties), and to terminate ECF Nos. 14 and 15.

SO ORDERED.



April 26, 2024